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SUBJECT: TOJIBOYEVA RELEASED FROM PRISON; VOWS TO CONTINUE  
HUMAN RIGHTS ACTIVISM

REF: A. TASHKENT 501 B. TASHKENT 610 C. TASHKENT 620

Classified By: POLOFF R. FITZMAURICE FOR REASONS 1.4 (B, D)

¶1. (U) Human rights activist Mutabar Tojiboyeva, who was sentenced to eight years' imprisonment on politically-motivated charges in 2006, was released from prison on health grounds on June 2. Tojiboyeva was not amnestied and remains subject to the terms of a three-year suspended sentence. Tojiboyeva's release was widely reported in the international wire services and on local independent websites, with many outlets speculating whether her release was tied to the recent visit of Assistant Secretary for South and Central Asian Affairs Richard Boucher, who met with President Karimov the same day that Tojiboyeva was released.

¶2. (U) On June 3, the independent Haraket.net website, which is affiliated with the Ezgulik human rights group and the opposition Birlik political party, directly linked Tojiboyeva's release to Boucher's visit, which it took as proof that engagement with the Uzbek government could bring about human rights improvements. It further argued that sanctions would not have the desired effect, and instead called for greater numbers of high-level foreign officials to visit Uzbekistan (Note: The French Ambassador is claiming credit for the release, saying in a press statement that French Foreign Minister Kouchner had raised the matter with the government. End note.)

¶3. (C) Poloff spoke with Tojiboyeva on June 3, who said that she had been released from Tashkent Women's Prison on the morning of June 2 and was then driven directly in a convey of six cars to her home in Margilan in the Ferghana Valley. Tojiboyeva expressed her gratitude to all the human rights organizations and diplomatic representatives who advocated on her behalf. She was not forced to sign a confession. Despite the fact that she remains under a three-year suspended sentence, she said she will not refrain from criticizing the Uzbek government, especially over prison conditions. Indeed, in an interview with Radio Free Europe shortly after her release, Tojiboyeva described Uzbek prisons as "islands of torture." Tojiboyeva also reported that her health was still poor and that she was in need of medical assistance (Note: Tojiboyeva was treated at a Tashkent hospital for uterine cancer in April, see reftel. End note.)

14. (C) Tojiboyeva's release was presaged by National Security Service Chief Rustam Inoyatov, who told the Ambassador on May 28 that Tojiboyeva could be released from prison soon on medical grounds (Inoyatov also correctly predicted that AmCit Rabbi David Gurevich would be expelled soon from Uzbekistan, refs B and C). At the same meeting, Inoyatov told the Ambassador that former Sunshine Coalition leader and political prisoner Sanjar Umarov was a "thief" who still owed the Uzbek government millions of dollars which he had "stolen." Inoyatov suggested that if Umarov "compensated" Uzbekistan, he might one day be set free.

15. (C) On May 20, Sunshine Coalition leader Nigara Khidoyatova reported to poloff being in negotiations to free Umarov with government intermediaries, one of whom she identified as "independent" political consultant Rafik Sayfullin. According to Khidoyatova, authorities have offered to free Umarov in exchange for 8 million dollars (at the time of his conviction in March 2006, Umarov was reportedly fined 8.2 million dollars, so it appears that the government may be simply insisting that Umarov pay this fine.) Khidoyatova said that she was trying to negotiate a more reasonable amount, such as one or two million dollars, arguing that the government had already confiscated millions of dollars of Umarov's investments and property since his arrest. Khidoyatova also confirmed that her sister Nodira, another Sunshine Coalition leader who was put on trial at the same time as Umarov in 2006, was released on a suspended sentence after she paid a hundred thousand dollar "fine."

COMMENT  
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16. (C) Tojiboyeva is the seventh human rights activist since February to be released from prison or have a suspended sentence lifted. The other six activists were amnestied shortly after the visit of former Central Command (CENTCOM) Commander Admiral William J. Fallon in late January. Tojiboyeva's release is particularly significant in that the government had to know that she would not refrain from public criticism (and she has not). While we cannot give the government too much credit for releasing an individual who should never have been in prison in the first place, we believe the timing of her release is probably not coincidental and demonstrates that continued engagement is likely to result in the release of additional political prisoners. From past experience, we also believe it will allow us to more effectively intervene with the government to protect activists when they do fall afoul of the authorities. We also remain concerned about Tojiboyeva's health, and we will submit an application through the State Department's Global Defender's Fund to provide her with medical assistance.

NORLAND